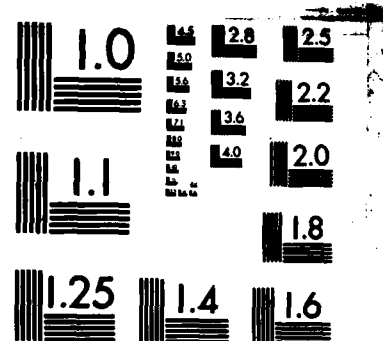


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# STUDENT ESSAY

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## SOME COMMENTS ON THE US CATHOLIC BISHOPS' LETTER ON WAR AND PEACE

BY

COLONEL RICHARD E. O'NEILL, USAF

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## SOME COMMENTS ON THE US CATHOLIC BISHOPS' LETTER ON WAR AND PEACE

### INDIVIDUAL ESSAY

by

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15 April 1985

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# ABSTRACT

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This essay highlights the main points contained in the bishops' letter. It compares these points to US government policy in the strategic military sphere and analyzes US government reaction to the letter. The writer then gives his personal analysis of the major points in the letter and offers some comment. The essay concludes with some recommendations for US strategy, weapons development and arms control based on both a reading of the pastoral letter and an examination of current US policy in the nuclear arena. The summary conclusion reached in the essay is that the US should negotiate arms control only from a position of strength. It is the belief of the author that this strong position can be attained by the continued development of morally acceptable strategic weapons.

SOME COMMENTS ON THE US  
CATHOLIC BISHOPS' LETTER ON WAR AND PEACE

The publication of the US Catholic Bishops' pastoral letter, "The Challenge of Peace: God's Promise and Our Response," has created a good deal of controversy both within the Catholic laity and in other institutions such as the Federal Government and in particular the military services. The letter was significant for a variety of reasons. First, the letter was issued at a time when there was (and still is) a worldwide heightened concern over nuclear weapons. Second, the process by which the letter was developed was completely open to comment. Over a two year period, the letter went through three drafts with comments invited from the public at large. A series of expert witnesses also testified before the framers of the document. Third, the letter is also significant because it represents a consensus among roughly 300 American bishops with divergent views on the controversial subject of nuclear arms. Finally, the letter was remarkable among modern church documents in that it addressed specific issues and government policies, rather than stating only abstract and theoretical moral principles.

The purpose of this paper is to highlight the main points contained in the letter along with US government policy and reaction; to analyze the letter's significance; to reach a conclusion and to offer recommendations on the important issues contained in the letter. It should be noted at the outset that this essay is written from the perspective of a military officer with very little formal training in ethics, philosophy or moral theology. The approach in writing this paper is one of a layman in these subjects, but one who is concerned with ethics and ethical conduct in the profession of arms. Additionally, it is my belief that this subject is one of general interest to



military professionals in all the services. With over 50 million Catholics in the United States and hundreds of thousands in uniform, it is vitally important for military leaders to understand the teaching of a major institution to which a large number of soldiers, sailors, and airmen belong. Before investigating the major points of the pastoral letter some general observations are in order.

#### GENERAL OBSERVATIONS

The Second Vatican Council's Pastoral Constitution published in 1965 provided the overall authority for the bishops' letter. The Pastoral Constitution exhorted the bishops to take a fresh look at the issues of war and peace. Although the Pastoral Constitution provided the backdrop for the letter, its proximate causes included the growing peace movement in the US and Europe; the Soviet buildup in the strategic arena; and the decisions to deploy the Pershing and cruise missiles. The Reagan Administration's hard line rhetoric with regard to the USSR also prompted the bishops' letter.

The letter really represents a continuation of the Catholic Church's teaching on social issues that began at least as far back as Pope Leo XIII (1891). Papal documents have consistently stressed the dignity of the human being and the sacredness of human life. In this respect, the Catholic Church's opposition to abortion and its concern over the use of nuclear weapons are really just different facets of the same issue: concern for human life.

Neither is the US Catholic Bishops' letter so surprising in light of Papal pronouncements on nuclear war going back to Pope Pius XII. In 1954, Pope Pius XII, the first Pope of the nuclear age, discussed the morality of nuclear weapons in his Christmas message. His thesis was that atomic weapons

represented a quantitative change in weaponry. He did not totally condemn use or possession of nuclear weapons. In 1963, Pope John XXIII cited a qualitative change in weaponry due to the increased lethality of nuclear weapons. He called for increased efforts at peace negotiations, and in general was harsher in his criticism of nuclear weapons. By the 1965 Pastoral Constitution of the Church in the Modern World, the Catholic Church issued a ringing condemnation of counterpopulation targeting. Pope Paul VI also decried the horrors of nuclear warfare in a 1965 speech to the United Nations. Finally, Pope John Paul II has echoed this theme in speeches to the United Nations in 1979 and at Hiroshima in 1981.<sup>1</sup> In papal pronouncements, then, the the Catholic Church has been concerned with the ethical questions involved with nuclear weapons almost since their inception. But why did the US Catholic bishops issue their letter at this time?

As noted earlier, there is a widespread concern over the issue of nuclear weapons not only in this country but all over the world. To some extent, the bishops' letter reflects that recent concern. Improvements in the effectiveness of nuclear weapons, the threat of use by terrorists, and increasing proliferation are also contributors. Finally, some writers have suggested that the letter reflects the maturation of the US Catholic Church into the mainstream of American society. From an early membership comprised largely of immigrants, the US Catholic Church has recently had one of its members elected president of the United States. The Church now has many elected leaders in both houses of Congress, and in general, feels no compunction in issuing criticism of governmental policies such as those on nuclear weapons.

One final general comment should be made before turning to the main points in the letter itself. As the bishops make abundantly clear, not all of the points in the letter carry the same moral weight. There is a major distinction in the levels of teaching contained in the letter. For example,

the prohibition against counterpopulation targeting of nuclear weapons ("the indiscriminate destruction of whole cities or vast areas with their populations") is a moral principle. It represents formal Catholic teaching. It has high certitude of moral correctness and is universal and binding in conscience on all Catholics. On the other hand, the bishops' letter states that, "we do not perceive any situation in which the deliberate initiation of nuclear war . . . can be morally justified." This second issue (NATO's first use doctrine) is a highly complex matter. It does not admit certitude that excludes the possibility of error. Dissent among people of good will, therefore, is recognized as possible by the bishops.<sup>2</sup> The distinction between these two levels of teaching—binding principles versus "prudential judgments"—is critical for a proper understanding of the impact of the letter. For a military professional, the difference is analogous to the difference between doctrine and tactics.

The term "letter" is something of a misnomer. The final text of the pastoral ran 103 pages. Its length led the bishops to include an excellent eight page summary at its beginning. Like other carefully crafted documents, however, the summary, as good as it is, is no substitute for reading the entire paper.

Having made some general comments on the background of the letter, the major points of the pastoral will now be examined.

#### MAJOR POINTS OF THE LETTER

The letter begins with a review of scripture on the issues of war and peace. It then cites Catholic teaching on these issues and stresses the need for building peace (a part of the letter which has received very little attention). The letter states that Catholic teaching contains a strong

presumption against war. This strong presumption against war, however, can be overridden by the concept of self-defense against unjust aggression. For a nation state, as long as there is no global power to stop aggression, there is a duty to defend its people. Pacifism is not an option for a nation state. For an individual, there is a right to stop aggression; however, this right may be freely held in abeyance if the individual believes that pacifism is a higher good than self-defense. The Catholic Church, therefore, acknowledges both pacifism (and attendant conscientious objection to war) as well as legitimate self-defense as being morally correct concepts. Pacifism is an option for an individual if it does not cause or lead to the harm of others. Further, alternative service to the state is required. Legitimate self-defense, however, is not an absolute principle. Self-defense against aggression is subject to the theory of just war—moral rules for the decision to go to war, and the methods used in war.

The pastoral letter traces the evolution of the just war doctrine back to the writings of Sts. Augustine and Aquinas. Although early Christians were generally pacifists for the first 400 years of the Church, a fundamental justification for Christian war took shape under Constantine I. Gradually, through the thoughts and writings of not only Aquinas and Augustine, but also of 16th and 17th century thinkers such as de Vitoria, Suarez and Grotius, a rationale for going to war (jus ad bellum) emerged. Guidelines for conducting war (jus in bello) also were developed.<sup>3</sup> The pastoral letter uses the just war doctrine as a framework to assess the use of nuclear weapons in warfare. The letter's use of just war theory implicitly demonstrates that the letter is not pacifist as some claim.

There are seven criteria for judging when recourse to war (jus ad bellum) is morally correct. First, there must be just cause—a real and present danger to life, or a threat to conditions of decent human existence. Second,

war must be declared by competent authority. Third, there must be a test of comparative justice—are there values at stake that are important enough to override the predisposition against war? Fourth, is there a right intention such as the pursuit of peace? Fifth, resort to war should only be a last alternative after all else has failed. Sixth, there must be a reasonable likelihood of success. Finally, there must be an assessment of proportionality. Does the intended good in going to war outweigh the damages which will be caused?

The criteria for moral conduct within war (jus in bello) are only two in number, but, at least to this writer, much more difficult to apply. These criteria relate to the means used in warfare. They are based on the premise that a right end cannot justify immoral means. First, the weapons used in war must be discriminate. The lives of innocent people may never be taken directly regardless of the reasons for doing so. Second, the means used in war should be proportionate. Again, like the same criterion used in jus ad bellum, there must be a test made of whether the good derived from the use of certain weapons outweighs the evil that can reasonably be foreseen.<sup>4</sup>

With the principles of just war doctrine as a background, we can now turn to the more specific points contained in the pastoral letter.

The letter echoes the ringing condemnation of the 1965 Vatican Council's Constitution on counterpopulation targeting. In this regard, the concepts of noncombatant immunity and the sacredness of human life are repeated. The prohibition against counterpopulation targeting is also extended to a retaliatory situation. In this case the principle is that counterpopulation targeting violates the principle of discrimination.

The letter also raises serious questions about the use of nuclear weapons in a counterforce retaliatory mode. First, the bishops express great skepticism as to whether counterforce exchanges can be kept limited. The bishops

therefore raise doubts about the use of nuclear weapons in relation to the just war criterion of reasonable hope of success. While not totally condemning the counterforce use of nuclear weapons, the letter rejects their use in heavily populated areas. Even if the use of these weapons were not intentionally indiscriminate, according to the bishops, their use violates the criterion of proportionality. The bishops' letter also points out that counterforce weapons and targeting strategy threaten the enemy's retaliatory power and would be destabilizing if perceived as first strike weapons. The bishops also reject even smaller, more discriminatory nuclear weapons if their possession and use would blur the distinction between nuclear and conventional weapons. Thus they reject the development of weapons that are perceived as more "useable."

The bishops also state that they perceive no case where the initiation of nuclear war can be judged as morally correct. This judgement is in direct opposition to the NATO policy of flexible response which posits the first use of tactical nuclear weapons as necessary if conventional defense fails. The basis of the bishops' judgement is their disbelief that nuclear wars can be kept limited. They therefore reject nuclear first use on the criterion of proportionality. The bishops realize that for NATO to disabuse itself of present doctrine, conventional forces would have to be strengthened (possibly by use of conscription). They also state that a change in NATO doctrine could not be made overnight. Finally, they say that the "first use" question is a prudential judgment—not a morally binding principle.

The next point raised by the letter is on the general strategy of deterrence. While acknowledging that deterrence has worked for the last 40 years, the letter gives it only conditioned moral acceptance. This acceptance is conditioned on the requirement to view deterrence as a step on the way

toward progressive disarmament. In essence, the letter says that possession of nuclear weapons is conditionally acceptable. The use of nuclear weapons is is not totally ruled out; however, it is nearly forbidden when the letter's pronouncements on counterforce targeting, first use, etc., are considered.

Finally, the pastoral letter enjoins increased efforts in the arms control arena and accelerated endeavors to find true peace. While specifically not advocating unilateral disarmament (as being destabilizing), the letter calls for a halt in the production, development, and deployment of nuclear weapons and deep cuts in their inventories. A very large portion of the letter exhorts efforts to find peace—not just the absence of war, but a climate or atmosphere where human development and social justice will prevail.

Having looked at the background and major points contained in the letter, the next section of this paper will focus on United States defense policy in general, and reaction to the bishops' letter by various officials in the government and military services. A later section will analyze the more contentious issues in the letter.

#### US GOVERNMENT POLICY

Probably the single best statement of US defense policy is the Secretary of Defense's Annual Report to the Congress.<sup>5</sup> The major points from this report which correspond to the issues raised in the pastoral letter follow.

The Secretary's report, like the bishops' letter, repudiates counter-population or countervalue targeting of nuclear weapons:

Some believe that we must threaten explicitly, even solely, the mass destruction of civilians on the adversary side . . . and that such a posture will achieve stability in deterrence. This is incorrect. Such a threat is neither moral nor prudent. The Reagan Administration's policy is that under no circumstances may such weapons be used deliberately for the purpose of destroying populations.

While counterpopulation targeting is rejected by US defense policy, counterforce use of nuclear weapons is clearly an option under the strategy of "flexible response." In a letter sent to the Catholic bishops by Mr. William Clark, then National Security Advisor, US policy was cited as holding at risk the enemy's war making potential—its armed forces and industrial capability to make war.<sup>6</sup> Although US improvements in weapons have been consistently geared toward improved accuracy (and concomitant lessening of collateral damage), the use of nuclear weapons in a counterforce mode would nonetheless produce massive civilian casualties.

With regard to the question of first use of nuclear weapons, US defense policy as stated in the Secretary of Defense's report is as follows:

Some of the same ambiguities cloud recent proposals that we abandon long-standing Alliance policy and pledge 'No First Use' of nuclear weapons in response to Soviet conventional attacks in Europe. Indeed, if the Soviets thought we would be so constrained they might mass forces more heavily for offensive actions and gain a unilateral conventional advantage. . . . The danger of a 'No First Use' pledge remains that it could increase the chances of war and thus increase the chances of nuclear conflict.

US defense policy, therefore, clearly preserves the option of first use, at least in NATO, and runs directly counter to the prudential judgement on this issue contained in the pastoral letter.

On the subject of deterrence and overall US defense strategy, the Secretary of Defense's report has this to say:

Our strategy is defensive. It excludes the possibility that the US would initiate a war or launch a preemptive strike. . . . In addition to our conventional modernization and sustainability programs, the nuclear option remains an important element in deterring Soviet attack.

The Secretary's report also cites the Administration's objective of maintaining the lowest level of armaments compatible with preservation of national security. It also cites the Reagan initiatives on arms control and



argues that arms control negotiations must be conducted from a position of strength.

Finally the Secretary's report makes the point that nuclear wars are not winnable. This kind of thinking had been likewise condemned in the bishops' pastoral letter. The report also points out that US nuclear stockpiles (another issue in the pastoral letter) were one-third higher in 1967 than in 1980. Similarly, the average number of kilotons per weapon has declined since the late 1950's. The total number of megatons in the US stockpile was four times higher in 1960 than in 1980. The report predicts that this trend will also continue. However, rather than advocating a nuclear freeze (like the pastoral letter) the Secretary's report calls first for modernization and improvement of nuclear weapons delivery systems, and then for negotiations toward arms control from a position of strength.

#### SPECIFIC REACTIONS TO THE PASTORAL LETTER

While it can be argued that some of the US defense policy statements cited above were in direct response to the letter, more specific reaction from the US government can also be examined.

President Reagan attacked the first draft of the letter as early as August of 1982 in a speech in Hartford, Connecticut. He called the bishops desire for a nuclear freeze "sterile" and "obsolete" and not as good as "deep cuts" (the final draft of the letter called for both). William P. Clark, then National Security Advisor, criticized the "no first use" provision of the letter. He also stated that the bishops had given insufficient credit to arms reduction proposals made by the Administration. The Director of the Arms Control and Disarmament Agency, Mr. Rostow, and the Secretary of Defense were similarly critical of the bishops' call for a nuclear freeze.<sup>7</sup> Secretary Weinberger, in a letter to the bishops quoted in the New York Times of

4 October 1982, made this comment: "Given the horrible consequences of war, burden of proof must fall upon those who depart from a sound policy of deterrence which has kept the peace for so long."<sup>8</sup> The Washington Post quoted Security Advisor Clark at about the same time period as saying that it must be made clear to the Soviets that the US has the capability to knock out that country's leadership, military forces and the industrial capacity that sustains war.<sup>9</sup>

One of the most stinging critics of the pastoral letter was Secretary of the Navy Lehman. In November of 1982, he stated that the bishops' recommendations could lead to immoral consequences: "One cannot complain about the immorality of nuclear war because of its unlimited impact and then oppose the development of a strategy or a technology that seeks to limit the impact."<sup>10</sup> Upon publication of the final letter in May of 1983, the Secretary of Defense repeated the US policy against counterpopulation targeting and the Administration's position that there would be no "winners" in a nuclear war.<sup>11</sup> At almost the same time, Terrance Cardinal Cooke, then Military Vicar for Catholics in the Armed Forces, wrote to military chaplains saying that the pastoral letter, while calling for a fresh moral appraisal of nuclear war, "does not pretend to have the last word on these issues. . . . This pastoral is more an invitation to continue the new appraisal of war and peace than a final synthesis of the results of such an appraisal."<sup>12</sup> Further recent "official" pronouncements have also echoed US defense policy against a nuclear freeze, and for the development of weapons such as the MX as a non-first strike system.<sup>13</sup>

Reaction to the letter has also appeared in less "official," but still military-authored books and periodicals. One of the best books on the exposition of Catholic, Protestant, and Jewish positions is, Nuclear Weapons and the American Churches: Ethical Positions on Modern Warfare, by Chaplain

(LTC) Donald L. Davidson. Davidson argues for a balanced approach—recognizing the need to prevent nuclear war but at the same time taking a realistic position on the need for defense.<sup>14</sup> Military journals such as Military Review have also contained numerous articles. One article questioned the utility of the just war theory in the nuclear age. Other articles have cited arguments that nuclear war can be waged morally under just war theory provided certain conditions are met (improvements to accuracy, methods to limit collateral damage, etc.).<sup>15</sup> Still another article in the Military Review cited the fact that discrimination and proportionality have always been goals of the US force structure. This article related the argument of Professor O'Brien of Georgetown, that a reasonable effort to avoid collateral damage is sufficient. US policy is not forced to guarantee that a limited war would remain limited.<sup>16</sup> Still other articles have extolled the US strategy of deterrence and flexible response as moral and emphasized the responsibility of the government to protect its citizenry.<sup>17</sup> As to the question of abrogating NATO's first use policy and concomitant build up of conventional forces, one article questioned the accuracy of cost estimates to do this. More importantly this essay doubted the feasibility of resource expenditures of this magnitude.<sup>18</sup>

Finally, it should be noted that not all the reaction to the letter was negative. Mr. Jim Castelli, in his book The Bishops and the Bomb, cites the release of a public letter to the bishops signed by twenty experts including former CIA director Colby, SALT I negotiator Smith, former Secretary of Defense McNamara, SALT II negotiator Warnke and others. Their conclusion was that, "The bishops are better informed technically than most of their critics."<sup>19</sup> They attributed this judgement not to the bishops' competence in the area of strategy, but rather to the knowledge gained during open hearings from technical experts.

Having looked at the reaction to the bishops' letter, the next section will turn to a more detailed evaluation of the contentious points contained in the pastoral.

### ANALYSIS

There are five major issues which, in my opinion, are at the heart of the debate on the bishops' letter. These are: proportionality, discrimination, and the chance of success (just war theory criteria); the question of NATO first use, and the strategy of deterrence (policy applications of just war criteria).

The criterion of proportionality requires that a moral balance be struck between the good to be achieved by the use of nuclear weapons and the destruction associated with them. The assessment must be made on the values we are defending and the threat facing the US as well as the expected damage caused by nuclear war. The letter does a good job of the latter, but gives little on the former. As Professor O'Brien points out, "Nuclear war will be condemned as practically catastrophic and as a morally unuseable means without being considered in relation to ends for which its use is threatened in deterrence."<sup>20</sup> The letter seems to affirm that nothing is worse than "dead" in the "red versus dead" debate. Not everyone, (including at least one US bishop) would agree. Castelli cites a quote from Bishop Mark Hurley of Santa Rosa (during the drafting of the letter): "We do not affirm that life is an absolute. . . . There are people who believe and will affirm that freedom is greater even than life itself and that therefore we are willing to fight and die for our country."<sup>21</sup> The words of Aleksander Solzhenitsyn, himself a victim of the Russian gulag system bring home the point:

At one time, there was no comparison between the strength of the USSR and your own. Then it became equal to yours. Now, as all recognize, it is becoming superior to yours.

Perhaps today the ratio is just greater than equal, but soon it will be 2 to 1. Then 3 to 1. Finally, it will be 5 to 1. . . . With such nuclear superiority it will be possible to block the use of your weapons, and on some unlucky morning, they will declare 'Attention. We're sending troops into Europe, and if you make a move, we will annihilate you.' And this ratio of 3 to 1 or 5 to 1 will have its effect: you will not make a move.<sup>22</sup>

On this issue of proportionality, there also may be an internal inconsistency in the letter's reasoning. The letter does not explicitly condemn all use of nuclear weapons and therefore implies that some use may be morally correct. US targeting policy is essentially counterforce, but with massive foreseeable civilian damage (even though unintended). If in fact the civilian damage is massive, this violates a binding principle (proportionality) and would therefore condemn virtually all use of nuclear weapons.<sup>23</sup> On the other hand, if for all practical purposes, no nuclear weapons can be used morally, and the declared intent to use them is also immoral, would not the US policy of deterrence (which the bishops conditionally accept) also be immoral? The bishops say they left a "centimeter of ambiguity" in not totally ruling out the use of nuclear weapons. However, it would seem that this centimeter is a crack in the wall of their argument in saying "No" to nuclear weapons.

To sum up on the issue of proportionality, in my opinion, the bishops do give mention to the inherent evil in communism but it is too little and placed rather far into the letter—separated from the discussion of deterrence and defense. The evil of an ideology that put 20 million Russians to death in a non-wartime purge and currently uses chemical warfare may well require the possession and use of nuclear weapons by the US.

The second major issue in the letter is discrimination. The use of weapons, including nuclear weapons, should preserve the immunity of noncombatant innocents. The principle prohibits directly intended attacks on noncombatants and non-military targets. The letter admits that it is not

always easy to determine who is directly involved in a war effort or to what degree. However, the destructive power of even relatively small nuclear warheads would no doubt cause large collateral damage. The pastoral letter rejects attempts to relativize unintended damage. In effect, the pastoral letter infers that the principle of "double effect" (which allows the killing of innocents if the primary intent was the elimination of the aggressor and the injury to the innocent was incidental) really is almost irrelevant in nuclear wars.

One commentator on the letter, however, thinks differently. Professor O'Brien of Georgetown sees the application of the discrimination principle as requiring the US to concentrate our attack on military objectives and to minimize the destruction on civilian targets.<sup>24</sup> A reasonable effort to avoid collateral damage is required; a guarantee is not. O'Brien, therefore, accepts the just war principle of discrimination as a goal but not as an absolute. The principle of discrimination must be balanced with the state's right of legitimate self-defense—a right and duty that the bishops explicitly include in the pastoral letter. This writer would agree with Professor O'Brien on this issue. Additionally, discrimination has and will continue to be a goal of US weapons development and employment.

A third contentious issue is whether there is reasonable chance of success. This principle is discussed with reference to just war theory in jus ad bellum (the decision to go to war). The letter may have mentioned this criterion because of the bishops' perception that the current Administration's rhetoric led some to believe that nuclear wars were winnable. However, repeated statements by Administration officials have emphasized that they do not consider nuclear wars winnable in a meaningful sense.<sup>25,26</sup> Interestingly enough, the American people, at least according to one opinion survey, fully

agree by a margin of 68 to 20 percent.<sup>27</sup> So does the senior leadership of the US armed forces by an even higher margin.<sup>28</sup> While an argument could probably be made for the relative survivability of one side or the other through civil defense efforts, etc., I believe the main point is that strong and flexible nuclear policy contributes to deterrence. Flexible nuclear policy increases the probability of containing the use of nuclear weapons should a war start; a strong nuclear arsenal deters the inception of a nuclear war—a far more preferable option. In any event, most authorities on the subject of morality (such as O'Brien) hold that the victim of aggression has a right to defend himself without regard to his chances of success, i.e., even "hopeless" wars of self-defense may be undertaken as a matter of right.<sup>29</sup>

The fourth point of contention in the letter is the bishops' rejoinder against first use of nuclear weapons. Current US policy admits the first use of nuclear weapons if an overwhelming Soviet conventional attack were to occur. The bishops call for an end to this policy because they do not believe that the use of tactical nuclear weapons can be restrained. They are "highly skeptical" that a limited war can remain that way. Further, the bishops, to their credit, see the need for an increased conventional defense (if a no "first use" policy were adopted). They realize that rejection of first use cannot be done overnight. They even say that a return to the draft may be necessary to bolster conventional defenses. The bishops are joined in their call for "no first use" by former Secretary of Defense Robert McNamara, McGeorge Bundy and several other knowledgeable experts. Their call for increased conventional posture in NATO is also seconded by General Bernard W. Rogers, SACEUR, although the NATO commander does not advocate a no first use policy, but rather raising the nuclear threshold by improved conventional forces.<sup>30</sup>

The letter's call for no first use is understandable but can be criticized from several standpoints. First, no one knows whether the limited use of nuclear weapons would automatically precipitate an all out nuclear war. Just war theory does not require a guarantee that war must be kept limited. Second, some have said that a no first use policy makes war more likely. Nuclear weapons, even tactical ones, raise the ante, and are therefore critical to a credible deterrent policy.<sup>31</sup> Third, the costs of increasing our conventional response are unknown but would assuredly be very high. Estimates of \$20 billion or more have been criticized as being too low.<sup>32</sup> There is also the perennial problem of defense burden-sharing with the NATO allies. Fourth, a return to the draft is highly unlikely for the foreseeable future. With a Congress that has slowed development of the MX (if in fact not effectively scratched the project), is it reasonable to assume support for a return to the draft? Finally, it is interesting to note that the German Catholic bishops in their pastoral letter, "Righteousness Creates Peace," make no call for the renunciation of first use.

The final controversial issue raised in the bishops' letter is that of the overall strategy of deterrence. The letter gives a conditional acceptance to deterrence premised on the concept that it is only a stepping stone on the road to progressive disarmament. To this reader, the bishops' letter also says that possession of nuclear weapons, is conditionally acceptable; but that use of nuclear weapons, while not totally ruled out, is almost condemned.

Nuclear deterrence has been the cornerstone of US policy for the last 40 years. It depends on our opponents assessment of our capability and will—our credibility. It works. No major world wars have occurred. As was pointed out earlier, the US policy of deterrence safeguards political and religious values. On the other hand, following the bishops' prescription would leave the US with a deterrent possession of nuclear weapons, but with so many



restrictions on use as to lose credibility.<sup>33</sup> It is, therefore, illogical to distinguish between the possession of nuclear weapons and the credible intention to use them.

Thus far, this essay has looked at the main concepts in the letter, government policy and reaction to its publication; and offered some analysis of contentious issues. The final sections will give some comments and recommendations.

#### SUMMARY COMMENTS

Several comments can be made on the bishops' letter. First it is authoritative, but hardly the last word on the subject of war and peace and the morality of nuclear weapons. The bishops openly arrived at their conclusions through a process of dialogue and consultation. They sought and obtained criticism of their drafts. In this vein, they expect and wish the dialogue or debate to continue. Second, the letter is a challenge to US government policy. It calls for a rethinking of several strategic concepts and individual formation of conscience by government and military leaders. While challenging policy, however, the letter is not political. Like the more recent pastoral letter on the economy, the bishops have striven to avoid particular political persuasions, action groups and special interests. Third, in the opinion of this writer, the letter is very idealistic—perhaps as it should be. The church should well call us to an ideal goal, perhaps one that is above the requirements of justice. However, in a realistic world, the threat and inherent evil of communism may well have been given greater prominence. Fourth, there is no question that the bishops have the right and indeed the duty to speak on the issues contained in the letter. Although admittedly not expert in the areas of strategy and geopolitics, they are expert in the areas of morals

and ethics. They have an obligation to speak out—an obligation somewhat akin to that of a newspaper editor although at a much higher ethical plane. Fifth, the letter is not doctrine. As the bishops are careful to point out, with very few exceptions, their conclusions are prudential judgements which are subject to debate by persons of good intention. The letter does, however, clarify the issues and provides a framework for the formation of conscience. Finally, the tone of the letter is humble; yet it does fulfill a major teaching mission given to the bishops by Vatican II.

### RECOMMENDATIONS

Recommendations arising from a reading of the pastoral letter and the examination of US policy in the nuclear arena fall into three areas: strategy, weapons development, and arms control.

In the area of strategy, while pursuing arms control negotiations, deterrence and flexible response should continue to be the cornerstone of US defense policy. As previously noted, deterrence works. In my opinion, it is moral in that it preserves our societal and religious values in the face of the communist policy of world domination—a policy yet to be rescinded by the Soviet Union. Efforts should be made to raise the nuclear threshold, particularly in NATO, by improving conventional forces. Both of these recommendations would be in accordance with the bishops' letter. However, given the reality of the tremendous cost of a conventional-only force, and the small likelihood of a return to the draft, NATO's policy should retain the option of nuclear first use. This recommendation would run counter to a "prudential judgement" in the bishops' letter, but not counter to morally binding principles. In the event that the use of tactical nuclear weapons is imminent, US intention to keep a nuclear exchange limited should be clearly communicated to the enemy. As a final prescription in the strategy area, our

research and development (R&D) base should be kept strong. A viable R&D base preserves strategic options, keeps deterrence strong and credible, and may ultimately lead to developments which will obviate the need for nuclear weapons altogether. This recommendation is essentially "neutral" with respect to principles in the bishops' letter.

In the weapons development arena, efforts should continue to make both nuclear and conventional weapons more proportionate and discriminate. One expert estimates that a tenfold increase in accuracy is equivalent to a thousandfold increase in explosive power (and concomitant decreases in collateral damage). Terminal guidance systems improvements in the future can greatly reduce circular error probable of weapons and thereby tremendously lessen unintended noncombatant deaths.<sup>34</sup> Recommendations along this line, are in full agreement with the overall desire of the bishops for discrimination and proportionality. At the same time, however, these efforts may well make the weapons more useable—something that the bishops wish to avoid. In the opinion of this writer, this may be a price we have to pay in order to conform to just war theory.

More specifically, improvements in both offensive and defensive weapons systems should be encouraged. Hardening of command and control facilities (as advocated in the bishops' letter) should proceed. Modernization of the nuclear triad should continue so that our policy of deterrence is enhanced and so that arms control negotiations can take place from a position of strength on the US side. Development and deployment of the neutron bomb should continue. This weapon, with low yield, cleaner explosives improves discrimination and leaves less residual radiation. It also leaves more of a country's infrastructure intact for use by a war's survivors. In the longer run, the Strategic Defense Initiative (SDI) offers a promising option that is militarily feasible and

morally correct. Although this system would probably be extremely expensive, its logic and morality are unassailable. As President Reagan said in his speech of 23 March 1983, "Would it not be better to save lives than to avenge them?"<sup>35</sup> Also in the longer run, improvements in conventional munitions may lessen and even eliminate recourse to nuclear weapons. According to at least one expert, we are currently at a crossroads where the option to change from a massive nuclear standoff is not only possible but inevitable.<sup>36</sup> Again, as with the SDI initiative, conventional weapons improvements are not cheap but the payoff in terms of security and a lessening of nuclear dependence would be substantial.

The final recommendation of this paper is to proceed with mutual and verifiable arms reductions. As the bishops' letter points out, this is the only hope for the future of mankind. The timing of a renewed emphasis on arms control is especially propitious in the near future. US technological superiority has always been a given; however, recent US advances in space weaponry development may make the Soviets more amenable to substantive agreements. Our strategic modernization (assuming the B1, MX and Trident become realities) also puts us in a position of strength from which to negotiate. Problems in implementating verifiable and mutual arms reductions are real and varied. Nonetheless, these problems should not cause us to "throw up our hands." Arms control should not merely be perceived as an effort to prevent nuclear war. It should be viewed as part of an overall foreign policy scheme which also includes international trade and cultural relations.

For the foreseeable future, perhaps the remarks of Secretary Weinberger best sum up the course we should pursue:

A genuine, verifiable and sharp arms reduction is the cornerstone of our whole Administration policy. At the same time, we must retain sufficient strength to encourage the other side to the same position.<sup>37</sup>

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